

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

United States of America
v.
BRANDON DOUGLAS SHANAHAN

Case No. 3:16-MJ 2070*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 10, 2016 in the county of Knox in the
Eastern District of Tennessee, the defendant(s) violated:

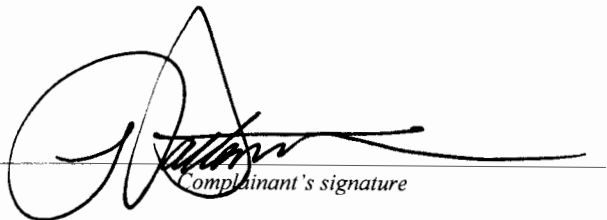
*Code Section**Offense Description*

18 U.S.C. § 875(d)

The defendant, Brandon Douglas Shanahan, knowingly transmitted in interstate and foreign commerce, with intent to extort from C.C. money and other things of value, a Snapchat communication containing a threat to injure the reputation of C.C. in violation of 18 U.S.C. § 875(d).

This criminal complaint is based on these facts:

Please see the attached Affidavit of FBI Task Force Officer Jaron B. Patterson

☒ Continued on the attached sheet.


Complainant's signature

Jaron B. Patterson, FBI Task Force Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: 5/24/2016


Judge's signature

City and state: Knoxville, Tennessee

Dennis H. Inman, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

UNDER SEAL

AFFIDAVIT IN SUPPORT OF COMPLAINT

INTRODUCTION

I, Jaron B. Patterson being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is being offered in support of a Complaint and Arrest Warrant for Brandon Douglass Shanahan for violating Title 18, United States Code, Section 875(d).

2. I am a Task Force Officer with the Federal Bureau of Investigation (FBI) and have been since February 2016. I have been federally deputized by the United States Marshals Service as a Special Deputy United States Marshal since March 2016. I am a sworn and certified law enforcement officer employed by the University of Tennessee Police Department since July 2010; my current assignment at the University of Tennessee Police Department is to the Investigations Unit. I hold a Bachelor of Arts degree with honors from the University of Tennessee. I received basic law enforcement training at the Tennessee Law Enforcement Training Academy and have since completed numerous specialized law enforcement training in areas including criminal investigations, sex crimes investigations, narcotics investigations, and computer crime investigations. In the course of my duties as a uniformed police officer and as a criminal investigator, I have participated in and conducted various criminal investigations involving sexually motivated offenses violating the laws of the State of Tennessee. I am

experienced in authoring affidavits for search warrants and have been granted search warrants based upon those affidavits.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested Compliant and Arrest warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On Tuesday 04/12/2016, I responded to the University of Tennessee Center for Health Education and Wellness to meet with a victim who will be referred to as "C.C." for the purposes of this affidavit. C.C. stated that she began conversing with a person under the username Camsutton2323 on the mobile application Snapchat approximately three weeks prior to my interview. C.C. stated that she believed she was conversing with Cameron Sutton, a University of Tennessee football player since the display name for Camsutton2323 was "Cameron Sutton," and the number 23 is Cameron Sutton's University of Tennessee jersey number. C.C. stated that Camsutton2323 sent messages stating "you're a goddess" and "you're beautiful" in the early stages of their conversation. C.C. stated that the communication was mostly one-sided with Camsutton2323 engaging in most of the conversation. At some point during their dialogue, C.C. provided Camsutton2323 with her phone number.

5. On 04/09/2016, C.C. stated that she would "give him a chance" and reply more regularly to Camsutton2323 to establish a more balanced discussion. C.C. informed Camsutton2323 of her hometown and her current roommate's name. C.C. stated that Camsutton2323 sent her a photograph of a black male torso (from the neck to the waist) which

bore a large tattoo about the rib area (C.C. could not recall the particular side of the tattoo or the tattoo itself with particularity).

6. On 04/09/2016, C.C. stated that she went to a bar and became “very drunk;” while at the bar, C.C. stated that she took photographs of herself and the bar atmosphere and posted them to her “Snapchat story,” which is an array of photographs for her Snapchat “followers” to view the photos that she posts. C.C. stated that she returned to her residence and stated “all I remember is taking off my clothes and getting in bed.”

7. On 04/10/2016, C.C. stated that Camsutton2323 told her that she took nude photographs of herself and transmitted them to Camsutton2323 while she was intoxicated. C.C. stated to me that she did not believe she took nude photographs of herself, but she could not recall for certain. Since the Snapchat application deletes photographs that were sent or received after a number of seconds chosen by the sender, C.C. had no way to verify or dispute Camsutton2323’s assertion since there would be no record. C.C. now believes that Camsutton2323 used the information that she made available on her “Snapchat story” about her alcohol consumption to lead her to believe that she took photographs in an intoxicated state; however, when conversing with Camsutton2323, she was unsure and had enough doubt to consider that she may have in fact taken a nude photograph of herself and transmitted it to him.

8. On 04/10/2016, C.C. stated that Camsutton2323 told her that he would post the purported nude photograph or photographs that he alleged C.C. sent to him while she was intoxicated on social media unless C.C. took more nude photographs and sent them to him.

9. On 04/10/2016, C.C. began receiving telephone calls from the Snapchat user from a blocked number that displayed “No Caller ID.” C.C. stated that the first call lasted for approximately 10 minutes; the second call lasted for approximately 30 minutes. C.C. stated that during the calls, the caller under the identity of Cameron Sutton stated that he had been shot with a firearm and suffered a gunshot wound in the past. C.C. stated that the caller instructed “say you want my dick in your pussy,” and he instructed C.C. to “finger” herself during the call. C.C. refused to engage the caller in his desired communication; therefore, he stated “that mouth on you—I’m going to put you what I went through.” C.C. believed the caller was insinuating that he would shoot her based on the earlier comment that he had been shot. C.C. stated to me that she did not recall receiving blocked calls before this incident.

10. C.C. stated that Camsutton2323 continued asking for naked and sexually provocative photos and for her to send sexually explicit text messages along with the pictures. C.C. provided me with screenshots that she took from Snapchat where Camsutton2323 told her to “Snap me a selfie n say u want my dick in it,” and for her to “think of me licking ur pussy right now.” Camsutton2323 ignored C.C.’s demands that he “stop.” C.C. stated to Camsutton2323 “I’m terrified please stop,” followed by “please I’m begging you.” Since the intent of Snapchat is to permanently delete images that are sent, the application notifies the sending party when a screenshot is taken. Since Camsutton2323 was notified by the application that the images were being saved by C.C., he sent the following message “Screenshot again n ill have someone post these pics all over social media for me Last fuckin chance to snap me a pic of u rn Hurry up Snap me a selfie saying u want my dick. Wink in it to Hurry up before I change my mind n want something else Hurry up Snap me wat I want n ill delete n wont do nun.” C.C. stated that these messages were persistent and at odd and unusual hours; C.C. stated that she

received a message from Camsutton2323 stating “wake the hell up” at approximately 03:00 hours (3:00AM). C.C. stated that she received messages during her classes. When C.C. told Camsutton2323 that she was in class, she was told “Go to the bathroom n say it’s n emergency. C.C. informed Camsutton2323 that she could not, and he replied “K. I’m embarrassing u.” C.C. stated that these messages placed her in fear. C.C. told me “I have never been more scared in my life.”

11. Under duress, C.C. complied with Camsutton2323’s demands and sent approximately seven photographs of her wearing only a bikini and her wearing only undergarments. C.C. provided investigators with one screenshot of a photograph showing her entire body in underwear that she sent to Camsutton2323. C.C. stated that she sent these photos against her will and that she would not have sent them if she were not being threatened.

12. Phone records from C.C.’s AT&T mobile phone service show the originating number that called C.C. as 423-271-0971 which is a TracFone telephone serviced by Celco Partnership d/b/a Verizon Wireless. Phone records from TracFone revealed that the registrant is Brandon Shanahan with an address of 512 Randolph Fridley Road, Sweetwater, TN 37874. This is the address listed on Shanahan’s Tennessee Driver License. Records from Verizon Wireless show that phone number 423-271-0971 registered to Shanahan called C.C.’s phone number on 04/10/2016 at 18:18 hours, 04/10/2016 at 18:32 hours, 04/12/2016 at 02:22 hours, 04/12/2016 at 17:07 hours, 04/12/2016 at 22:25 hours, 04/16/2016 at 03:05 hours, 04/21/2016 at 23:15 hours, and 04/23/2016 at 18:29 hours. These calls match a screenshot C.C. provided that show “No Caller ID” at 16:58 hours followed by another at 17:07 hours. C.C. installed a phone application on her personal phone which reveals the actual number of blocked calls. C.C. provided me with

two screenshots showing 423-271-0971 calling her on 04/21/2016 at 23:16 hours and on 04/23/2016 at 18:29 hours. All four screenshots of calls presented from C.C. match the call records from Shanahan's call records.

13. Records from Snapchat regarding Camsutton2323 revealed that an Internet Protocol (IP) address of 64.134.24.79 was used on 2/29/2016 at 19:31:52 (14:31:52 Eastern) UTC and 19:29:47 UTC (14:29:47 Eastern). IP address 64.134.24.79 is issued to Wal-Mart 04166 located at 935 State Highway 11 South, Sweetwater, TN 37874. I went to Wal-Mart number 04166 on 5/11/16 and viewed video from 02/29/2016. A silver sport utility vehicle similar to a Chevrolet Trailblazer entered the parking lot at 13:44 hours. On the video, I observed a male who appeared to be tall and heavy-set with facial hair and long head hair matching Shanahan's 6'1" and 295 pound description and photograph in the Tennessee Criminal Justice Portal enter Wal-Mart number 04166 with a female child with red hair consistent with a child Shanahan refers to as his niece on social media. The male consistent with Shanahan and the female consistent with who is believed to be Shanahan's niece remain in the store and exit at 14:23 hours and return to the sport utility vehicle which remains parked until 14:33 hours.

14. A silver 2005 Chevrolet "TRL" sport utility truck with Tennessee registration 7A10F0 is registered to Shanahan in the Tennessee Criminal Justice Portal. The address on file for Shanahan's vehicle is 19 Valley View Village, Sweetwater, TN 37874. I conducted physical surveillance of 19 Valley View Village, Sweetwater, TN 37874 on 05/11/2016 and observed a silver Chevrolet Trailblazer bearing Tennessee registration 7A10F0 parked to the right of unit number 19 which is a duplex-style dwelling. On 05/13/2016, I conducted physical surveillance of 19 Valley View Village, Sweetwater, TN 37874 and observed Shanahan standing outside the

residence looking at a device in his hand similar to that of a mobile telephone. In the company of Shanahan was a female who was consistent with Shanahan's sister, Brittany McCowan, and three children.

15. The United States Postal Inspection Service provided that Brandon Shanahan, Brittany McCowan, Demarian McCowan, and Marayah McCowan receive mail at 19 Valley View Village, Sweetwater, TN 37874.

TECHNICAL TERMS

16. Based on my training and experience, I use the following technical terms to convey the following meanings:

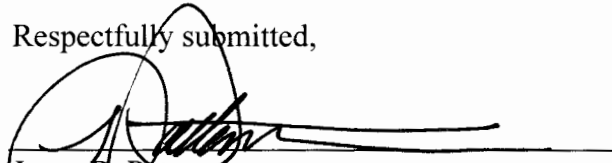
- a. Wireless telephone: A wireless telephone (or mobile telephone, or cellular telephone) is a handheld wireless device used for voice and data communication through radio signals. These telephones send signals through networks of transmitter/receivers, enabling communication with other wireless telephones or traditional "land line" telephones. A wireless telephone usually contains a "call log," which records the telephone number, date, and time of calls made to and from the phone. In addition to enabling voice communications, wireless telephones offer a broad range of capabilities. These capabilities include: storing names and phone numbers in electronic "address books;" sending, receiving, and storing text messages and e-mail; taking, sending, receiving, and storing still photographs and moving video; storing and playing back audio files; storing

dates, appointments, and other information on personal calendars; and accessing and downloading information from the Internet. Wireless telephones may also include global positioning system (“GPS”) technology for determining the location of the device.

- b. IP Address: An Internet Protocol address (or simply “IP address”) is a unique numeric address used by computers on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet computer must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.
- c. Internet: The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

17. Based upon the foregoing, your affiant is of the opinion that there is probable cause to believe that SHANAHAN violated Title 18, United States Code, Section 875(d).

Respectfully submitted,



Jaron B. Patterson
Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me
on May 24, 2016:



DENNIS INMAN
UNITED STATES MAGISTRATE JUDGE